

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

CLERK, U. S. DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS

**FILED**

SEP 23 1983

GENERAL ORDER NO. 83- 6

JESSE E. CLARK, CLERK  
BY DEPUTY:

ORDER FOR INVESTMENT OF REGISTRY FUNDS UNDER  
RULE 67, FEDERAL RULES OF CIVIL PROCEDURE,  
AND PROCEDURES FOR DISBURSEMENT OF REGISTRY  
FUNDS

*E. Churchill*

In accordance with Rule 67 of the Federal Rules of Civil Procedure, effective August 1, 1983, and pursuant to General Order No. 79-1, entered April 16, 1979, it is ORDERED that the Clerk, United States District Court, Southern District of Texas, invest all funds placed in the Registry of this Court under Rule 67, Federal Rules of Civil Procedure, on or after August 1, 1983, in a regular savings account at the approved depository under contract with the Court at the time of deposit. No other institution or depository will be acceptable for investment of Registry funds in this Court.

A party in a case may request, by submitting appropriate motion and order, investment of funds in certificates of deposit for specific lengths of time or money market certificates for six months. All such orders will first be approved by the Financial Deputy at Houston, Texas, before signing by a Judge to insure that proper investment can be made in compliance with the proposed order.

After the order is entered to invest or reinvest Registry funds into some form of interest-bearing account or accounts, the party presenting the order will deliver a copy of said order either personally, or by certified mail, to the Clerk, or in his absence, the Chief Deputy at Houston, Texas, and a copy to the Financial Deputy at Houston, Texas. Further, it will be incumbent upon the presenting party to confirm that the appropriate action has been accomplished by the Clerk in accordance with the provisions of the particular order.

The Clerk will deposit the Registry funds into an interest bearing account at the prevailing rate as soon as the business of his office allows.

If invested in time certificates, the Clerk will reinvest the certificates as they mature at the prevailing rate for the specified period of time

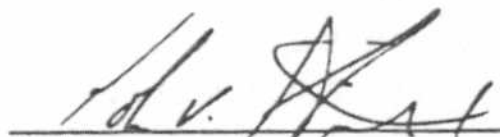
originally set, or until an order of redemption is filed. If the redemption of a certificate of deposit or money market certificate is requested prior to maturity, the order must state this, and acknowledge any penalty or loss of interest resulting from the early redemption. All orders of disbursement will be referred to the Financial Deputy at Houston, Texas, for audit review before being submitted for signing by a Judge.

All orders of disbursement will contain the following:

- (a) the name of each payee,
- (b) the social security number or tax identification number of each payee,
- (c) the amount of principal and interest for each payee,
- (d) the address of each payee,
- (e) the name of the attorney (if any) in whose care the check is to be mailed.

Deposits into the Registry in land condemnation cases, filed under 40 USC Sec. 258a and 28 USCA Rule 71A, and interpleader actions, filed under 28 USC Sec. 1335, will continue to be placed in savings accounts by the Clerk. Parties may request, by submitting appropriate motion and order, the investment of these funds in other types of investment as previously described.

DONE at Houston, Texas, this 23rd day of September, 1983.

  
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Chief Judge